

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MICHAEL BURNS,

Plaintiff,

JUDGMENT
16-CV-6251 (WFK) (ST)

-v-

NURNBERGER CORPORATION D/B/A
NURNBERGER BIERHAUS, KELLY ENTERPRISES
OF STATEN ISLAND, LLC, and ROBERT KELLY,

Defendants.

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An Order of Honorable William F. Kuntz II, United States District Judge, having been filed on November 13, 2018, adopting the Report and Recommendation of Magistrate Judge Steven Tiscione, dated September 17, 2018, which recommended the following: entering judgment against Defendants and entering an award of \$55,790.36, comprised of (1) \$5,877.75 in unpaid straight and overtime wages for the summer of 2015; (2) \$8,437.50 in unpaid overtime premium for April 2011 to March 2012 and for November 2013 to July 2014; (3) nothing in unpaid spread-of-hours compensation; (4) \$5,000.00 in wage statement damages; (5) \$12,240.00 in compensation for lost earnings due to retaliation; (6) \$5,000.00 in compensation for emotional distress due to retaliation; (7) \$5,000.00 in punitive damages for the retaliation; (8) and \$14,235.11 in liquidated damages; awarding prejudgment interest on a principal amount of \$14,315.25 accruing from June 25, 2013 until the day judgment is entered at the rate of 9% per year, as well as post-judgment interest calculated pursuant to 28 U.S.C. § 1961(a); awarding \$35,852.50 in attorneys' fees and \$2,446.46 in costs; and the Clerk of Court having calculated the prejudgment interest on a principal amount of \$14,315.25 accruing from June 25, 2013 until

the day judgment is entered at the rate of 9% per year; and the prejudgment interest being \$6,946.62; it is

ORDERED and ADJUDGED that judgment is hereby entered in favor of Plaintiff and as against defendant in the total amount of \$101,035.94, plus post judgment interest calculated pursuant to 28 U.S.C. § 1961(a).

Dated: Brooklyn, NY
November 14, 2018

Douglas C. Palmer
Clerk of Court

By: /s/Jalitza Poveda
Deputy Clerk